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October 7, 2024

The Honorable Richard G. Andrews
United States District Court
for the District of Delaware
844 North King Street
Wilmington, DE 19801

VIA ELECTRONIC FILING

Re: *Exelixis, Inc. v. MSN Laboratories Private Limited, et al.*
C.A. No. 22-228 (RGA) (Consolidated)

Dear Judge Andrews:

My firm, along with Wilmer Cutler Pickering Hale & Dorr LLP, represents Plaintiff Exelixis, Inc. (“Exelixis”) in the above matter. We write jointly with Winston & Strawn LLP and Gattuso & Hirzel LLP, counsel for Defendants MSN Laboratories Private Limited and MSN Pharmaceuticals, Inc. (collectively, “MSN”), in response to the Court’s October 3, 2024 order regarding the trial record. D.I. 182.

First, the Court inquired about record evidence concerning a Cipla “C-1” form. The parties are not aware of references in the trial record to a form “C1” or “C-1” from Cipla. *Cf.* DTX-121 at 5 (“The polymorphic forms of the present invention are designated herein as ‘Form C2’, ‘Form C3’, ‘Form C4’ and ‘Form C5’.”).

Second, the Court inquired about record evidence concerning the definition of “tapped density.” The parties are not aware of a definition of “tapped density” in the trial record. However, the trial record discusses that “tapped density” is a measurable property. Trial Tr. at 132:24-133:1 (“[T]hose properties that were measured included bulk density and tapped density.”). Also, “tapped density” is discussed in DTX-358, which was admitted into the record. *See* DTX-358 at 3-4 (section on “Compressibility Index and Hausner Ratio”); Trial Tr. at 130:7-131:7 (discussing DTX-358).

The parties are available to the extent the Court has any further questions.

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Respectfully,

/s/ Anthony D. Raucci

Anthony D. Raucci (#5948)

cc: All Counsel of Record (via CM/ECF and e-mail)